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4 April 2001
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Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

SWAIN et al.

Serial No.: 09/705,149

Art Unit: Unassigned

Filing Date: 1 November 2000

Examiner: Unassigned

Title: DNA VACCINES BASED ON CONSTRUCTS
DERIVED FROM THE GENOMES OF
HUMAN AND ANIMAL PATHOGENS

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

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Commissioner for Patents
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

United States Patent No. 4,945,050, to Sanford, issued July 31, 1990;

United States Patent No. 5,100,792, to Sanford et al., issued March 31, 1992;

United States Patent No. 5,120,657, to McCabe et al., issued June 9, 1992;

United States Patent No. 5,149,655, to McCabe, issued Sept. 22, 1992;

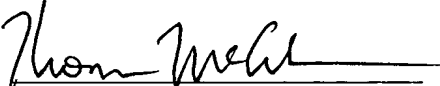
United States Patent No. 5,171,568, to Burke et al., issued Dec. 15, 1992;

United States Patent No. 5,204,253, to Sanford, issued April 20, 1993;
United States Patent No. 5,378,814, to Houghton et al., issued Jan. 3, 1995;
United States Patent No. 5,584,807, to McCabe, issued Dec. 17, 1996;
United States Patent No. 5,589,466, to Felgner et al., issued Dec. 31, 1996;
United States Patent No. 5,630,796, to Bellhouse et al., issued May 20, 1997;
United States Patent No. 5,865,796, to McCabe, issued Feb. 2, 1999;
United States Patent No. 6,168,587, to Bellhouse et al., issued Jan. 2, 2001;
United States Patent No. 6,194,389, to Johnston et al., issued Feb. 27, 2001;
International Publication No. WO 89/04669, published June 1, 1989;
International Publication No. WO 90/11089, published Oct. 4, 1990;
International Publication No. WO 90/14436, published Nov. 29, 1990;
International Publication No. WO 94/00575, published Jan. 6, 1994;
International Publication No. WO 94/24263, published Oct. 27, 1994;
International Publication No. WO 95/16779, published June 22, 1995;
International Publication No. WO 96/12513, published May 2, 1996;
International Publication No. WO 96/14855, published May 23, 1996;
International Publication No. WO 96/20022, published July 4, 1996;
International Publication No. WO 96/31613, published Oct. 10, 1996;
International Publication No. WO 97/48485, published Dec. 24, 1997;
International Publication No. WO 98/10750, published March 19, 1998;
Baer et al. (1984) *Nature* 310:207-211;
Davison et al. (1986) *J. Gen. Virol.* 67:1759-1816;
Stanberry et al. (1987) *J. Infect. Dis.* 155:914-920;
McGeoch et al. (1988) *J. Gen. Virol.* 69:1531-1574;
Stanberry et al. (1988) *J. Infect. Dis.* 157:156-163;
Ho et al. (1989) *J. Virol.* 63:2951-2958;
Burke et al. (1991) *Virology* 181:793-797;
Burke et al. (1991) *Rev. Infect. Dis.* 13(Suppl 11):S906-S911;
Houghton et al. (1991) *Hepatology* 14:381-388;
Mertz et al. (1992) *Ann. Intern. Med.* 116:197-202;

Straus et al. (1994) *Lancet* 343:1460-1463;
Johnston et al. (1997) *Vaccine* 15:808-809; and
Swain et al. (1997) *Behring Institute* 98:73-78.

This Information Disclosure Statement under 37 CFR § 1.97(b) is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

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